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CLERK
U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTASeui Cavan # 08947-030 (Pro-Se)
Federal Prison Camp
P.O. Box 1000
Duluth, Minnesota 55814UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTASEUI CAVAN # 08947-030

Plaintiff(s),

vs.

Case No. 20-cv-1072 WMW/LIB
(To be assigned by Clerk of District Court)1.) HSA Ms. Voss, Individual Capacities
"et al"

AND

2.) United States of America, Official
Capacities, "et al"

DEMAND FOR JURY TRIAL

YES ☒ NO ☐

Defendant(s).

(Enter the full name(s) of ALL defendants in
this lawsuit. Please attach additional sheets
if necessary).1.) 28 U.S.C § 13312.) 28 U.S.C § 13463.) 28 U.S.C § 2671-26804.) 18 U.S.C § 4042(a)(2)COMPLAINT

PARTIES

1. List your name, address and telephone number. Do the same for any additional plaintiffs.

a. Plaintiff

Name Seui Cavan # 08947-030Street Address Federal Prison CampCounty, City P.O. Box 1000State & Zip Code Duluth, Minnesota 55814Telephone Number NA

2. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption.

a. Defendant No. 1 Ms. Voss, Capt Swan, Ms. Lavalley,
 Name Mr. Roloff, Warden Marques, Dr. Bennett,
 Street Address Mr. Weber, Ms. Shaw, Mr. Armstrong
 County, City FCI, P.O. Box 1000, Sandstone MN 55072
 State & Zip Code

b. Defendant No. 2 David McKee, MD, Northland Medical
 Name Center, 1000 E. First St., Duluth,
 Street Address MN 55805
 County, City
 State & Zip Code

c. Defendant No. 3
 Name
 Street Address
 County, City
 State & Zip Code

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES AND ADDRESSES ON A SEPARATE SHEET OF PAPER.

Check here if additional sheets of paper are attached: ☐

Please label the attached sheets of paper to correspond to the appropriate numbered paragraph above (e.g. Additional Defendants 2.d., 2.e., etc.)

JURISDICTION

Federal courts are courts of limited jurisdiction. Generally, two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount of damages is more than \$75,000 is a diversity of citizenship case.

3. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Question

☐ Diversity of Citizenship

4. If the basis for jurisdiction is Federal Question, which Federal Constitutional, statutory or treaty right is at issue? List all that apply.

- 1) 28 U.S.C. § 1331
 2) 28 U.S.C. § 1346
 3) 28 U.S.C. § 2671-2680
 4) 18 U.S.C. § 4642 (a)(2)

5th and 8th Amend, U.S. Const
 AND
 Federal Tort Claim Act (FTCA)

5. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party? Each Plaintiff must be diverse from each Defendant for diversity jurisdiction.

Plaintiff Name:

State of Citizenship:

Defendant No. 1:

State of Citizenship:

Defendant No. 2:

State of Citizenship:

All U.S.
 Citizens

Attach additional sheets of paper as necessary and label this information as paragraph

5.

Check here if additional sheets of paper are attached. ☐

6. What is the basis for venue in the District of Minnesota? (check all that apply)

☐ Defendant(s) reside in Minnesota

☒ Facts alleged below primarily occurred in Minnesota

☐ Other: explain

STATEMENT OF THE CLAIM

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of how, where, and when each of the defendants named in the caption violated the law, and how you were harmed. Each paragraph must be numbered

separately, beginning with number 7. Please write each single set of circumstances in a separately numbered paragraph.

7. See Pages 4A - 4J

Attach additional sheets of paper as necessary.

Check here if additional sheets of paper are attached: ☒

Please label the attached sheets of paper to as Additional Facts and continue to number the paragraphs consecutively.

REQUEST FOR RELIEF

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking.

1.) Award Money Damages in thier
Individual / Offical Capacities: \$ 40,000 (Forty-Thousand,
Dollars) in Economic Damages. \$ 250,000 (Two-Hundred
and Fifty Thousand) in Compensatory Damages.
\$ 1,000,000 (One-Million) in Punitive Damages.
\$ 50,000 Fifty Thousand in Mental / Emotional
Damages. 2.) To now accept my Adminitrative
Remedies.

Claim, 7 MS. VOSS

Ms. Voss : Was Deliberate Indifference of 8th Amend U.S. Const, while on "Notice" of Injured Spine/Nerves (Neuropathy Pain), conspired with [Ms. Shaw, Capt. Swan, Ms. Voss, Ms. Lavalley, Mr. Rohloff], to further injure Spine/Nerves, causing more pain/numbness, resulting in weak back/legs, making daily living in prison, a unsafe environment, as I now nearly fall down.

- 1.) Has caused me to work in Laundry Dept, as a Retaliatory Work Punishment, for filing a lawsuit against several staff. see Case No: 18-2568-JRT/DTS, and filing several complaints to OIG, then recieved Incident Report, 12/10/2018 Exh. 1, Pg. 1, to protect Spine/Nerves.
- 2.) Has held and participated in "Secret's Meeting", Exh. 4, Pg. 3, 12, 13, 14, there I was warned not to do anymore complaints about spine, and stated that I suffer no injuries, pain numbness, weakness or tiredness, even after I said I have a Disc Bulge/Canal Stenosis, Exh. 4, Pg. 34, and have Arthritis, Exh. 4, Pg. 38. I said to them I suffer a possible Sciatica and Spinal Stenosis, Exh. 4, Pg. 18, 19, 20, 21.
- 3.) Has repeatedly stated I have no Sciatica/Spine Stenosis, therefore no pain. This prevents me from properly being Medically Diagnosis with Medical Treatment. No Symptom's no treatment they said.
- 4.) Has caused a ongoing "Chronic Pain"

Claim, 8: Capt Swan

Capt. Swan Was Deliberate Indifference of 8th Amend U.S. Const, while on "Notice" of Injured Spine/Nerves (Neuropathy Pain), conspired with [Ms. Shaw, Capt. Swan, Ms. Voss, Ms. Lavalley, Mr. Rohloff], to further injure Spine/Nerves, causing more pain/numbness, resulting in weak back/legs, making daily living in prison, a unsafe environment, as I now nearly fall down.

- 1.) Has caused me to work in Laundry Dept, as a Retaliatory Work Punishment, for filing a lawsuit against several staff. see case No: 18-2568-JRT/DTS, and filing several complaints to OIG, then recieved Incident Report, 12/10/2018. Exh. 1, Pg. 1, to protect Spine/Nerves.
- 2.) Has held and participated in "Secret's Meeting", Exh. 4, Pg. 3, 12, 13, 14, there I was warned not to do anymore complaints about spine, and stated that I suffer no injuries, pain numbness, weakness or tiredness, even after I said I have a Disc Bulge/Canal Stenosis, Exh. 4, Pg. 34, and have Arthritis, Exh. 4, Pg. 38. I said to them I suffer a possible Sciatica and Spinal Stenosis, Exh. 4, Pg. 18, 19, 20, 21.
- 3.) Has repeatedly stated I have no Sciatica/Spine Stenosis, therefore no pain. This prevents me from properly being Medically Diagnosis with Medical Treatment. No Symptom's no treatment they said.
- 4.) Has caused a ongoing "Chronic Pain"

Claim 9: MS. SHAW

Ms. Shaw Was Deliberate Indifference of 8th Amend U.S. Const, while on "Notice" of Injured Spine/Nerves (Neuropathy Pain), conspired with [Ms. Shaw, Capt. Swan, Ms. Voss, Ms. Lavalley, Mr. Rohloff], to further injure Spine/Nerves, causing more pain/numbness, resulting in weak back/legs, making daily living in prison, a unsafe environment, as I now nearly fall down.

- 1.) Has caused me to work in Laundry Dept, as a Retaliatory Work Punishment, for filing a lawsuit against several staff. see case No: 18-2568-JRT/DTS, and filing several complaints to OIG, then recieved Incident Report, 12/10/2018 Exh. 1, Pg. 1, to protect Spine/Nerves.
- 2.) Has held and participated in "Secret's Meeting", Exh. 4, Pg. 3, 12, 13, 14, there I was warned not to do anymore complaints about spine, and stated that I suffer no injuries, pain numbness, weakness or tiredness, even after I said I have a Disc Bulge/Canal Stenosis, Exh. 4, Pg. 34, and have Arthritis, Exh. 4, Pg. 38. I said to them I suffer a possible Sciatica and Spinal Stenosis, Exh. 4, Pg. 18, 19, 20, 21.
- 3.) Has repeatedly stated I have no Sciatica/Spine Stenosis, therefore no pain. This prevents me from properly being Medically Diagnosis with Medical Treatment. No Symptom's no treatment they said.
- 4.) Has caused a ongoing "Chronic Pain"

Claim, 10: Ms. Lavalley.

Ms. Lavalley Was Deliberate Indifference of 8th Amend U.S. Const, while on "NOTICE" of Injured Spine/Nerves (Neuropathy Pain), conspired with [Ms. Shaw, Capt. Swan, Ms. Yoss, Ms. Lavalley, Mr. Rohloff], to further injure Spine/Nerves, causing more pain/numbness, resulting in weak back/legs, making daily living in prison, a unsafe environment, as I now nearly fall down.

- 1.) Has caused me to work in Laundry Dept, as a Retaliatory Work Punishment, for filing a Lawsuit against several staff. see case No: 18-2568-JRT/DTS, and filing several complaints to OIG, then recieved Incident Report, 12/10/2018 Exh. 1, Pg. 1, to protect Spine/Nerves.
- 2.) Has held and participated in "Secret's Meeting", Exh. 4, Pg. 3, 12, 13, 14, there I was warned not to do anymore complaints about spine, and stated that I suffer no injuries, pain numbness, weakness or tiredness, even after I said I have a Disc Bulge/Canal Stenosis, Exh. 4, Pg. 34, and have Arthritis, Exh. 4, Pg. 38. I said to them I suffer a possible Sciatica and Spinal Stenosis, Exh. 4, Pg. 18, 19, 20, 21.
- 3.) Has repeatedly stated I have no Sciatica/Spine Stenosis, therefore no pain. This prevents me from properly being Medically Diagnosis with Medical Treatment. No Symptom's no treatment they said.
- 4.) Has caused a ongoing "Chronic Pain"

Claim 11: MR. Rohloff

Mr. Rohloff was Deliberate Indifference of 8th Amend U.S. Const, while on "Notice" of Injured Spine/Nerves (Neuropathy Pain), conspired with [Ms. Shaw, Capt. Swan, Ms. Voss, Ms. Lavalley, Mr. Rohloff], to further injure Spine/Nerves, causing more pain/numbness, resulting in weak back/legs, making daily living in prison, a unsafe environment, as I now nearly fall down.

- 1.) Has caused me to work in Laundry Dept, as a Retaliatory Work Punishment, for filing a Lawsuit against Several Staff. see Case No: 18-2568-JRT/DTS, and filing several complaints to OIG, then recieved Incident Report, 12/10/2018 Exh. 1, Pg. 1, to protect Spine/Nerves.
- 2.) Has held and participated in "Secret's Meeting", Exh. 4, Pg. 3, 12, 13, 14, there I was warned not to do anymore complaints about spine, and stated that I suffer no injuries, pain numbness, weakness or tiredness, even after I said I have a Disc Bulge/Canal Stenosis, Exh. 4, Pg. 34, and have Arthritis, Exh. 4, Pg. 38. I said to them I suffer a possible Sciatica and Spinal Stenosis, Exh. 4, Pg. 18, 19, 20, 21.
- 3.) Has repeatedly stated I have no Sciatica/Spine Stenosis, therefore no pain. This prevents me from properly being Medically Diagnosis with Medical Treatment. No Symptom's no treatment they said.
- 4.) Has caused a ongoing "Chronic Pain"

CLAIM 12: Warden Marques

Deliberate Indifference of 8th Amend U.S. Const, While on "NOTICE" of Injured Spine, inflicted Retaliatory Work Punishment 12/21/2018, Prolong Sitting, Risk Factor, Exh. 4, Pg. 9, I sit on a hard wooden bench (L.T. Complex) 8 hr/day 30 days, Caused extreme pain, in Spine/buttock, due to a Lawsuit against his staffs, verbalized using Please Warden cease this sitting, I'm in Pain, he says So! He caused a weak back/legs make me almost fall on these prison grounds, Symptoms described in Exh. 4, Pg. 8, 9, 10, 11, from MRI's Bulge Disc/Canal Stenosis, Exh. 4, Pg. 34, and developed buttock rash, and open scores Exh. X-1, Pg. D, E, I address Concern to Counselor Grenier, Case Manager Appel, what Warden Marques was about to do to my injured Spine, That's when Counselor Mr. Paul Grenier gave me this BP-8 dated 12-21-18, Pg. 24, before Warden inflicted his Retaliatory Work Punishment, see also Pg. 28, 29, Warden Retaliate because I did a Lawsuit. Also see Sensitive 10, in Exh. X-1, Pg. D, E

CLAIM 13: David McKee, Federal Joint Actor

violated 5th Amend, Due Process CL of Equal Protection of Inmates Medical Right to be correctly diagnosis w/treatment instead. Conspired under 18 U.S.C § 241 with Ms. Voss/Ms. Shaw, to state I am Malingering in this report, resulting in denial to be diagnosis w/treatment of Disc Bulge and Canal Stenosis because I exercise my Political Belief under 28 CFR § 551.90. Access to Courts (Lawsuit Dr. Mayer, Ms. Voss, S.I.S Weber, Dr. Bennett) and subjected me to several Retaliatory Work Punishment, I am not Malingering.

CLAIM 14: Ms. Voss

Violated 5th Amend, Due Process CL of Equal Protection of Inmates Medical Right to be correctly diagnosis w/treatment. instead conspired under 18 U.S.C § 241 with Ms. Voss/Ms. Shaw, to state I am Malingering in this report, resulting in denial to be diagnosis w/treatment of Disc Bulge and Canal Stenosis because I exercise my Political Belief under 28 CFR § 551.90, Access to Courts (Lawsuit Dr. Mayer, Ms. Voss, S.I.S Weber, Dr. Bennett) and subjected me to several Retaliatory Work Punishment, I am not Malingering.

CLAIM 15: Ms. Shaw

Violated 5th Amend, Due Process CL of Equal Protection of Inmates Medical Right to be correctly diagnosis w/treatment instead conspired under 18 U.S.C § 241 with Ms. Voss/Ms. Shaw to state I am Malingering in this report, resulting in denial to be diagnosis w/treatment of Disc Bulge and Canal Stenosis because I exercise my Political Belief under 28 CFR § 551.90. Access to Courts (Lawsuit Dr. Mayer, Ms. Voss, S.I.S Weber, Dr. Bennett) and subjected me to several Retaliatory Work Punishment, I am not Malingering.

CLAIM #16: U.S.A

FTCA

FTCA Claims against following Staff Members for Negligent Failure to Consult or Refer. Attached is FTCA Pg. A, B, C, and Exh. X-1, Exh. 1, Exh. 2, Exh. 3, Exh. 4.

- Exh. 4, Pg. 1 & 2 - S.I.S Weber's negligent failure to Consult or Refer with Medical Personal, when he inflicted a Retaliatory Work Punishment, due to his threats, which he did carried out. SIS Weber work reinjured a previous work injury sustained in 2016. See, Exh. 4, Pg. 32, 33 and 30.
- Exh. 4, Pg. 2 - H.S.A. Ms. Voss - negligent failure to Consult or Refer me to Medical Personal, of reinjuries sustained under S.I.S Weber's work, Had Ms. Voss and S.I.S Weber checked Medical Duty Status on Exh. 4, Pg. 31 & 31A, the dates 1-16-18, reflects No lifting over 20 lbs. indicating a warning of spine injuries.
- Exh. 4, Pg. 32, 33 - Provider, Dr. Bennett's negligent failure to Consult or Refer, to another Medical Personals, after he further injured S.I.S Weber's Work Injuries, and Injuries of 2016. See Exh. 4, Pg. 2, 3, 3A, 3B, 25, 28, and 29, they inflicted in MRI on 2-7-18, Disc Bulge, and Moderate Canal Stenosis, Exh. 4, Pg. 34.
- Exh. 4, Pg. 2 - H.S.A Ms. Voss, Counselor Armstrong negligent failure to Consult or Refer, me to Medical Personals, to examine my injuries Sustained by Dr. Bennett's Assault.
- Exh. 4, Pg. 2 - H.S.A Ms. Voss, Counselor Armstrong and Dr. Ms. Lavalley negligent failure to Consult or Refer Dr. Bennett's Assault to proper Authorities, as the perpetrator, still puts his hands on me, last known date of Sick Call, Feb. 6, 2019, or have other Medical Personal examine my Injured Spine under Dr. Bennett Assaults, and S.I.S Weber Work Punishment.

6/5/19-5

Pg. 4 H

- Exh. 4; Pg. 3, - Capt. Swan, Ms. Voss, Ms. Shaw, Ms. Lavalley negligent failure to Consult or Refer to Medical Personals to have my Spinal injuries examine which was sustained by Dr. Bennetts Assaults and S.I.S Weber Retaliatory Work Punishment.
- Exh. 4; Pg. 12 & 23, - Capt. Swan, Ms. Voss, Ms. Shaw, Dr. Lavalley negligent failure to Consult or Refer to other Medical Personals, such as Orthopedic and Neurosurgeon, to correctly get Medically Diagnosis with Treatment, of Spinal Stenosis stemming from Arthritis, and see (Pg. 4-11), that Sciatica stems from Bulging Disc.
- Exh. 4; Pg. 15 A, & 15 B, - Capt. Swan negligent failure to Consult or Refer to Medical Personal when he inflicted his Retaliatory Work Punishment, where I did further injured spine again, that now compounded with Dr. Bennetts Assault, S.I.S Weber Work Punishment and working on Washer Machine. Made BP-8, Pg. 12-14, and on Pg. 15 A, Ms. Shaw acknowledge Capt. Swan recieved BP-8. See also Exh. X-1. Pg. A, B, C
- Exh. 4, Pg. 15 A, - Ms. Shaw negligent failure to Consult or Refer to other Medical Personal, to seize Capt. Swan Retaliatory Work Punishment. Ms. Shaw had knowledge of Spinal Injuries Sick-Call made during Capt. Swan Work Punishment.
- Exh. 1, Pg. 1 - Mr. Roloff negligent failure to Consult or Refer to Medical Personal, once I gave him Notice of my Spinal Injuries sustained by Dr. Bennetts Assaults, S.I.S Webers Retaliatory Work Punishment and 2016 Plumbing Shop Injuries. He told me he had to enforce Capt. Swan Retaliatory Work Punish, so I verbally protested to protect injured Spine.

6/5/19-6

Pg. 41

Mr. Roloff made false statement on Incident Report.

Mr. Roloff was on Notice of Injuries. I repeatedly told him I need Medical Attention. His false statement is to save his behind. I made Sick-call before Incident Report, Mr. Roloff stated he does not believe I am really injured.

- Exh. 4, Pg. 24-26, - Warden Marques negligent failure to Consult or Refer to Medical Personal, once I gave him Notice of Injuries Spine. I repeatedly plead with him, that his Retaliatory Work Punishment of Prolong Sitting was furthering injuring my lower spine, while I sat in LT. Complex, Warden on a daily basis stops by Assist. Warden Office, when he ask "Cavan, how's your back?" Several Staff deemed Warden Retaliatory Work Punishment was not safe keeping, it was Assist Warden Frye and Safety officer Mr. Richard who finally seized Warden's Retaliatory Work Punishment, see Exh. 4, Pg. 43, and Exh. X-1, Pg. D+E, Exh. 3, Pg. 1, 3, 4, due to "RISK FACTORS", SEE Exh 4, Pg. 39.

I address concern to Counselor Grenier, Case Manager Apple, what Warden Marques was about to do to my injured Spine. That when Counselor Mr. Paul Grenier gave me this BP-8 dated 12-21-18 Pg. 24, before Warden inflicted his Retaliatory Work Punishment, see also Pg. 28, 29. Warden Retaliate because I did a Lawsuit. Also see Sensitive 10, in Exh. X-1, Pg. D+E

- All Staff Members mentioned in this Action have reinjured lower Spine, and left it untreated. For their Negligent Failure to Consult or Refer, All now to be sued in their Official/Individuall Capacity

6/5/19-7

Pg. 45

Signed this 27 day of April 2020

Signature of Plaintiff Seui Cavan # 08947-030

Mailing Address Federal Prison Camp
P.O. Box 1000
Duluth, Minnesota 55814

Telephone Number

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide his/her mailing address and telephone number. Attach additional sheets of paper as necessary.

I, Seui Cavan, declare under Penalty of Perjury (28 U.S.C. 1746)
all the foregoing is true and correct.

Dated: April, 27, 2020

By: Seui Cavan #08947-030
Federal Prison Camp
P.O. Box 1000
Duluth, Minnesota 55814